



September
2006

California Postsecondary Education Commission

Legislative Update September 2006

ITEM 4

DRAFT

This item discusses higher education legislation of interest to the Commission. Also included is a matrix of all bills being tracked by Commission staff as well as an updated membership list of the policy and fiscal committees that consider higher education issues.

The Commission advises the Governor and Legislature on higher education policy and fiscal issues. Its primary focus is to ensure that the state's educational resources are used effectively to provide Californians with postsecondary education opportunities. More information about the Commission is available at www.cpec.ca.gov.

Draft Commission Report

This report presents a summary of higher education legislation that is currently under consideration by the Legislature in this, the second year of the 2005-2006 legislative session.

Policy areas include the Commission's three priorities -- accountability, higher education and the workforce, and access/success for students. In addition, proposals affecting other areas of importance to California's postsecondary education system are discussed, many of which relate directly or indirectly to the Commission's priorities. They include: student financial aid, student fee levels, facilities funding and policies, student transfer, and issues affecting higher education financing and administration.

Accountability

AB 196 (Liu) -- Commission Position -- Support

This bill requires CPEC to administer a statewide accountability structure related to a specified set of goals and priorities. Amendments have focused on the specificity of the data collection requirements and the frequency of the reporting requirements. The current version of the bill has a biennial CPEC reporting requirement and seeks to minimize costs by relying on existing data sources for the initial implementation. CPEC staff has worked with the office of Assemblymember Liu in the development of the legislation and the identification of costs associated with its implementation. This bill dead.

ACR 34 -- (Liu) -- Commission Position -- Support

This resolution would state legislative intent to establish a compact with students in California's institutions of higher education. It would recommend that such a compact include recommendations related to various student issues including student

fee and financial aid policies, sufficient institutional funding to ensure students' access to and success in courses needed to complete their academic or vocational program, limitations on student loan debt, access for low-income and educationally underserved students, and diversity of the student bodies and graduating classes at the institutions. This resolution was chaptered on August 24, 2006.

Financial Aid

AB 358 (Liu) -- Commission Position --Support This bill has been amended to express legislative intent that the maximum grant for tuition and fees for Cal Grant awards at independent or other non-profit institutions be set and adjusted annually to equal 90% of the estimated General Fund cost of educating a student at a public four-year institution. The bill would increase the maximum amount of a Cal Grant at these institutions to a minimum of \$9,708 per academic year. This is the level currently in the Governor's Budget. Additionally, the bill would require the Legislative Analyst's Office to convene a work group to determine data to be submitted by these institutions, require the California Student Aid Commission to notify the institutions, and enforce submission of the data. This bill was enrolled on August 29, 2006.

AB 840 (Arambula) -- Commission Position -- Support This bill would ensure that students awarded a Cal Grant transfer entitlement award would not lose eligibility for their award due to the inability of the California Student Aid Commission (CSAC) to capture accurate data regarding their high school of origin. Beginning in the 2006-07 award year, it would require student affirmations of California residency and CSAC verification of 10% of the awards. This bill would also require four-year universities to verify residency upon the California Student Aid Commission's request. This bill was chaptered on June 26, 2006.

AB 1315 (Liu) -- Commission Position -- Support This bill would delete the existing cap (\$1,551) on the maximum award for "access costs" under the Cal Grant B program. Instead it would require the following: (1) that the maximum award for 2006-07 equal at least \$1,551; (2) that the maximum award be increased by no less than 5% and no more than 10% annually until it is equal to at least 20% of the access costs determined via the California Student Aid Commission administered Student Expense and Resource Survey (SEARS); and (3) that, in between the triennial updates of the SEARS, the maximum award be adjusted by the percentage change in the California Consumer Price Index. This bill is dead.

AB 1532 (Bass) -- Commission Position -- Watch This bill would exempt foster youth from Cal Grant financial aid application deadlines. Specifically, it would eliminate the annual March 2nd Cal Grant deadline for current or former foster youth, as defined, no later than the 2008-09 award year. It would require the Student Aid Commission to: (1) adopt a method to identify foster youth; (2) make a preliminary award to foster youth without requiring their grade point average; and (3) develop and adopt procedures to secure GPA information in the future. It would provide that the finalization of an award would require that the students meet high school or community college GPA requirements. This bill is dead.

AB 2813 (De La Torre) -- Commission Position -- Support This bill would raise the age limit in the California Community Colleges Transfer Entitlement Program from 24 to 27. AB 2813 contains other related provisions. This bill was enrolled on August 29, 2006.

SB 1264 (Alquist) -- Commission Position -- Support This bill would increase the number of annual “competitive” Cal Grants that may be awarded to eligible students by the California Student Aid Commission from 22,500 to 23,000. This bill is dead.

SB 1383 (Ortiz) -- Commission Position -- Support This bill would provide that an Entitlement Cal Grant applicant who does not receive a high school diploma by June 30th of the academic year immediately preceding the award year may still be considered for an Entitlement Cal Grant, if the applicant meets the graduation requirements by December 31st of the award year. It would stipulate that award eligibility would begin in the term directly following the applicant’s receipt of a diploma. The bill would require the California Student Aid Commission to include information regarding students who qualify for the grant program, based on the method noted above, in its existing report obligations. This bill was enrolled on August 29, 2006.

SB 1751 (Speier) -- Commission Position -- Support This bill would increase the number of annual “competitive” Cal Grants that may be awarded to eligible students by the California Student Aid Commission from 22,500 to 34,000. This bill is dead.

Transfer

SB 652 (Scott) -- Commission Position -- Support This bill would request the University of California to establish, review, and update as appropriate, a common community college transfer curriculum for high demand majors, as specified. This bill was enrolled on August 31, 2006.

AB 2168 (Liu) -- Commission Position -- Watch This bill would requires the establishment of a common set of subject requirements in general education for prospective transfer students, along with other related provisions. This bill is dead.

Student Fee Levels

AB 1072 (Liu) -- Commission Position -- Support This bill would recommend the Legislature use a “Student Affordability” model in its process for setting student fee levels. The proposed policy is consistent with the “Principles” adopted by the Commission at the last meeting. This bill requires the California State University and requests the University of California to bear primary responsibility for fee setting through the development and use of a rationale and transparent methodology. The bill would also request that the California Postsecondary Education Commission convene a work group of stakeholders to develop a plan for assessing and reporting on the affordability of undergraduate education at CSU and UC and report the conclusions to the Legislature. This bill is dead.

AB 1780 (Baca) -- Commission Position -- Watch This bill would reduce the \$26 per unit resident student fee currently charged at the California Community Colleges to \$18 per unit, effective with the fall term of the 2006-07 academic year, if Pell Grant regulations are changed. This bill is dead.

AB 473 (Liu) -- Commission Position -- Watch This bill was amended to extend to the 2006-07 fiscal year, an exemption from the requirement to pay California Community Colleges nonresident tuition for certain students affected by Hurricane Katrina. The bill would make additional related changes to community college fees. The bill formerly would have permitted the California Community College Board of Governors to set and adjust community college fees based on a rationale and transparent student af-

fordability policy developed by the Board and consistent with current student fee principles. The bill was enrolled on August 30, 2006.

Community College Finance

AB 318 (Dymally) – Commission Position – Watch This bill would provide for a bond-financed loan to restore fiscal solvency to the Compton Community College District (CCCD) and make provisions for the continuation of services in the event the District loses accreditation. It would authorize a community college district that has had a trustee appointed, as specified, to request and receive an emergency apportionment. AB 318 would appropriate \$30,000,000 from the General Fund to the Board of Governors of the Community Colleges for apportionment to the CCCD. It would require the County Office Fiscal Crisis and Management Assistance Team to conduct an audit of the CCCD, prepare a recovery plan and status reports. The bill would authorize the trustee to make specified changes to help effectuate the implementation of the recovery plan. The bill would require the CCCD to partner with another district if its accreditation is lost. This bill was chaptered on June 30, 2006.

SB 361 (Scott) – Commission Position – Watch This bill would replace the current “program based” funding formula for the California Community Colleges with one that would specifically address different aspects of system funding. SB 361 would implement several provisions contained in the recently passed state budget and is designed to assure a stable funding base for the community colleges -- one that more accurately reflects the true costs of providing services. Among its many provisions, the bill would: (1) specify a minimum level of “per full time equivalent student” funding for credit enrollment, with annual cost-of-living adjustments to be made in the Budget Act; (2) make uniform the rate of funding for “non-credit” instruction, with annual cost-of-living adjustments to be made in the Budget Act, and require the development of a targeted set of “career development” and “college prep” noncredit courses to be funded at a higher rate; (3) implement policies to permanently equalize funding for all community college districts at a level equal to the 90th percentile of this funding rate for comparable districts; and (4) provide one-time grants for community colleges districts that could have received greater equalization funding under other proposed agreements, such as “rural access” grants. This bill was enrolled on August 29, 2006.

Compensation

SB 1117 (Denham) -- Commission Position -- Watch This bill would express the intent of the legislature that the Regents of the University of California revise and open to the public their processes for making salary and benefit decisions for management executives. The bill also expresses legislative intent to propose a constitutional amendment to eliminate the independence of the University of California, if the Regents refuse to voluntarily disclose the system of compensating University of California management executives. This bill is dead.

SB 1181 (Maldonado) -- Commission Position -- Support This bill would require the California State University, University of California, and the California Community Colleges to report on total compensation of specified executive and senior-level administrative salaries in the public postsecondary education systems at the system and campus levels. (The Community Colleges would only need to report on positions at the systemwide level.) The report would include policies for setting and adjusting compensation, approving transfer, separation, and settlement agreements, and compliance mechanisms.

It would require CSU, UC and CCC to use a template to be reviewed by CPEC. The report would be due annually to the Legislature and be posted on the systems' respective websites. This bill is dead.

SB 1571 (Maldonado) -- Commission Position -- Watch This bill would require the California State University Trustees and the California Community College Board of Governors, and request the University of California Regents, to post on their respective web sites policies for setting and adjusting compensation and approving transfer agreements, separation agreements, and settlement agreements for all of their employees. The bill would also require those governing boards to report the total compensation of executive-level and senior-level administrative positions in their segments, at the system and campus levels. This bill is dead.

Facilities Funding and Policy

AB 1836 (Daucher) -- Commission Position -- Watch This bill originally proposed to enact the Kindergarten-University Public Education Facilities Bond Act of 2006. As amended, the bill would establish the Mathematics, Science, and Engineering Teacher Pilot program to address the shortfall of experienced mathematics, science, and career technical education teachers. This bill is dead.

SB 1164 (Runner) -- Commission Position -- Watch This bill would enact the Kindergarten-University Public Education Facilities Bond Act of 2006, to be decided by the voters at a regularly scheduled election. The bill proposes similar Bond Acts for the 2008, 2010, 2012, and 2014 ballots. This bill contains other related provisions. This bill is dead.

SB 1290 (Ducheny) -- Commission Position -- Watch This bill would require that each school building constructed, reconstructed, modified, or expanded on or after January 1, 2007, by a California Community College district meet the standards of the Field Act or the California Building Standards Code. This bill was enrolled on August 23, 2006.

AB 2748 (Jones) -- Commission Position -- Watch This bill was amended to request the Regents of the University of California (UC) and require the Trustees of the California State University (CSU) to respectively prepare reports containing specified data relating to aspects of campus student housing and its impacts. The prior version would have expressed the intent of the Legislature that the bill should authorize the California Educational Facilities Authority to construct student housing on or near campuses of the California State University (CSU) and the University of California (UC). It also proposed to authorize CSU and UC to sell, lease, or otherwise transfer real property to the authority so that student housing could be constructed on that property. The bill would have structured the debt issued by the authority so that the debt would not be counted against the university systems by the bond market. This bill was enrolled on August 31, 2006.

ACR 118 (Canciamilla) -- Commission Position -- Support This resolution would declare that the current space standards of the California Community Colleges are obsolete and should be rescinded immediately. ACR 118 recommends the establishment of a limited set of contemporary space allocation policies for the community colleges based on actual use patterns and best practices, and the use of those policies as guidelines. It would express legislative intent that the Chancellor of the California Community Colleges, in consultation with the Director of Finance and the California Postsecondary Education Commission, develop these guidelines. This resolution is dead.

Higher Education Financing

AB 2578 (Frommer) -- Commission Position -- Watch This bill would establish the California Hope Public Trust in state government, to be governed and administered by a nine-member board. The bill would require the Department of General Services to report to the trust every five years on inventories of all state-owned real estate and property and all lease agreements between any state agency and private or nonpublic management groups. The bill would require that at least every five years, the trust must review and make recommendations to the Legislature on property controlled by the State whose management should be transferred to the trust. AB 2578 would require that all net proceeds be paid to the Fund for allocation by the board for specified postsecondary purposes. This bill is similar to one vetoed by the Governor last year. This bill was enrolled on August 29, 2006.

SB 1709 (Scott) -- Commission Position -- Watch This bill would enact the College Opportunity Act of 2006. The bill makes various findings and statements of legislative intent, with respect to the need to plan for, and fund, growth in the various segments of postsecondary education in the state between the operative date of the Act and 2015. This bill is dead.

Private Postsecondary Education

AB 1588 (Negrete McLeod) -- Commission Position -- Watch This bill would require each state entity subject to sunset review by the Joint Committee on Boards, Commissions, and Consumer Protection to demonstrate to the Committee that its licensing and enforcement of licensing standards are the least restrictive, consistent with the purpose of protecting the public health, safety, and welfare. This bill is dead.

AB 2810 (Liu) -- Commission Position -- Support This bill would establish a work group to review all aspects of existing law relating to the Bureau of Private Postsecondary and Vocational Education (BPPVE) and its administrative operations and to report to the Governor and Legislature. It would also extend the sunset date on the Act to January 1, 2008. The prior version of AB 2810 would have provided additional grounds by which the BPPVE could refuse to issue or renew an institution's approval to operate. The bill would have also added the crime of conferring or attempting to confer a fraudulent or substandard degree to the list of prohibited acts. This bill was enrolled on August 29, 2006.

SB 1473 (Figueroa) -- Commission Position -- Watch This bill would repeal the Private Postsecondary and Vocational Education Reform Act of 1989, and recast its provisions as the Private Postsecondary Education and Student Protection Act. The bill would place the provisions solely within the Business and Professions Code and sunset the law on an unspecified date. This bill is dead.

Workforce

SB 1552 (Scott) -- Commission Position -- Support This bill would extend the repeal date of the statute authorizing the California Community Colleges Economic and Workforce Development Program to January 2013. SB 1552 would require the chancellor to contract for an independent evaluation of the program, request funds for this purpose, and require a final report be provided to specified legislative bodies. This bill was enrolled on August 29, 2006.

SB 1309 (Scott) -- Commission Position -- Support This bill would enact an array of initiatives and establish new programs to address the nursing shortage in California, including a new K-12 program to

prepare pupils for health-career education, a new Cal Grant N for nursing students, an expansion of existing loan assumption benefits, a new loan assumption program for nurses in state facilities, a new program of grants to attract and retain California Community College (CCC) nursing instructors, a new program for enrollment growth and retention of CCC nursing students, a new regional system for matching students and clinical placements, exemptions from existing CCC employment laws, new nursing enrollment targets for the California State University (CSU) and the University of California (UC), and a new clearinghouse for information on the health-related workforce. It is unclear whether full funding is budgeted to support this bill. This bill was enrolled on August 30, 2006.

Teacher Training

SB 1073 (Simitian) – Commission Position – Support This bill would extend the inoperative date of the subject matter projects from June 30, 2007, to June 30, 2014. It would also add the California Arts Project, the California Foreign Language Project, and the California Physical Education/Health Project to the current subject matter projects. Existing law provides for the establishment and maintenance of six subject matter projects by the Regents of the University of California with the approval of the Concurrence Committee. It also provides that these subject matter projects are to create opportunities for researchers, higher education faculty, and elementary and secondary school faculty to work together to identify exemplary teaching practices, examine and develop research on learning, knowledge, and educational materials, and to provide support to teachers to develop and enhance content knowledge and pedagogical skills. This bill is dead.

MATRIX 2005-2006 LEGISLATIVE - PRIORITY BILLS
updated as of 9/1/2006

Bill Number	Author	Subject	CPEC Position	Dead/2 YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered	Comments
AB 196	Liu	Postsecondary education: accountability.	Support Position Letter	2nd Fiscal													06/12/2006-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.
AB 318	Dymally	Community colleges: Compton Community College District.	Watch	Chaptered													06/30/2006-Chaptered by the Secretary of State, Chapter Number 50
AB 358	Liu	Student financial aid: Cal Grant Program.	Support Position Letter	Enrolled													08/29/2006-Senate amendments concurred in. To enrollment. (Ayes 57. Noes 21. Page 7236.)
AB 473	Liu	Community colleges: student fees.	Watch	Enrolled													08/30/2006-Senate amendments concurred in. To enrollment.
AB 840	Arambula	Student financial aid: California Community College Transfer Cal Grant Entitlement Program.	Support Position Letter	Chaptered													06/26/2006-Chaptered by the Secretary of State, Chapter Number 43
AB 1072	Liu	Public postsecondary education: student fee policy.	Support Position Letter	2nd Fiscal													08/09/2006-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.
AB 1315	Liu	Cal Grant B awards: access costs.	Support Position Letter	2nd Fiscal													08/07/2006-Placed on Appropriations Suspense file. (AYES 13. NOES 0.) (PASS) [8/17/2006 Cal-endared for S. APPR. and not heard]
AB 1532	Bass	Cal Grants: foster youth.	Watch	2nd Fiscal													08/07/2006-From committee: Amend, do pass as amended, and re-refer to Com. on APPR. (Ayes 10. Noes 0.). Read second time, amended, and re-referred to Com. on APPR.
AB 1588	Negrete McLeod	Professional licensing boards: review and repeals.	Watch	2nd Policy													02/02/2006-Referred to Coms. on B., P. & E.D. and JUD.

AB 1780	Baca	Community colleges: enrollment fees.	Watch	Dead ████	05/25/2006-In committee: Set, second hearing. Held under submission. (APPR. SUSPENSE FILE)
AB 1836	Daucher	Teachers: math, science, and engineering professionals: pilot programs.	Watch	Dead ████	05/25/2006-In committee: Set, second hearing. Held under submission. (APPR. SUSPENSE FILE)
AB 2017	Dymally	Elections: City of Vernon.	Watch	Dead ████	04/27/2006-Re-referred to Com. on HIGHER ED.
AB 2168	Liu	Public postsecondary education: common set of area requirements for general education.	Watch	2nd Policy ████████████████████	08/08/2006-In committee: Hearing postponed by committee. (Refers to 6/29/2006 hearing)
AB 2381	Dymally	Private postsecondary education: Private Postsecondary and Vocational Education Reform Act of 1989.	Watch	2nd Policy ████████████████████	06/26/2006-In committee: Set, first hearing. Held without recommendation.
AB 2578	Frommer	State property: California Hope Endowment and California Hope Public Trust.	Watch	Enrolled ██	08/29/2006-Assembly Rule 77 suspended. Senate amendments concurred in. To enrollment. (Ayes 47. Noes 31. Page 7255.)
AB 2653	Dymally	Accreditation: California Commission on Accreditation.	Watch	Dead ████	04/26/2006-In committee: Set, second hearing. Held under submission.
AB 2748	Jones	Public postsecondary education: student housing reports.	Watch	Enrolled ██	08/31/2006-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To enrollment.
AB 2810	Liu	Private postsecondary education.	Support Position Letter	Enrolled ██	08/29/2006-Assembly Rule 77 suspended. Senate amendments concurred in. To enrollment. (Ayes 52. Noes 25. Page 7245.)
AB 2813	De La Torre	Student financial aid: Ortiz-Pacheco-Poochigian-Vascancellos Cal Grant Act.	Support Position Letter	Enrolled ██	08/29/2006-Assembly Rule 77 suspended. Senate amendments concurred in. To enrollment. (Ayes 61. Noes 14. Page 7212.)
ACR 34	Liu	Public higher education: student compact.	Support Position Letter	Chaptered ██	08/24/2006-Chaptered by Secretary of State - Res. Chapter 114, Statutes of 2006.
ACR 118	Canciamilla	Community college facilities.	Support Position Letter	2nd Fiscal ██	08/07/2006-Placed on Appropriations Suspense file. (AYES 13. NOES 0.) (PASS) [8/17/2006 No heard]

SB 361	Scott	Community colleges: funding.	Watch	Enrolled ██	08/29/2006-Urgency clause adopted. Sen concurs in Assm amendments. (Ayes 34. Noes 1.) Motion to reconsider . Reconsideration granted. Urgency clause adopted. Senate concurs in Assembly amendments. (A40. N 0.) To enrollment.
SB 652	Scott	Public postsecondary education: transfer of community college students to the University of California.	Support Position Letter	Enrolled ██	08/31/2006-SEN. FLOOR Vote - Special Consent #44 SB652 Scott[8/31/2006 To Enrollment]
SB 1073	Simitian	Instructional strategies: subject matter projects.	Support Position Letter	2nd Fiscal ██	08/17/2006-Set, second hearing. Held in committee and under submission.
SB 1117	Denham	University of California: executive compensation.	Watch	Dead ████	01/19/2006-To Com. on RLS.
SB 1164	Runner	Education facilities bond acts.	Watch	Dead ████	01/19/2006-To Com. on ED.
SB 1181	Maldonado	Public postsecondary education: administrative salaries and compensation.	Support Position Letter	2nd Fiscal ██	08/17/2006-Set, second hearing. Held in committee and under submission.
SB 1264	Alquist	Student financial aid: Ortiz-Pacheco-Poochigian-Vasc oncellos Cal Grant Program.	Support Position Letter	2nd Fiscal ██	08/17/2006-Set, second hearing. Held in committee and under submission.
SB 1290	Ducheny	Community colleges: facilities.	Watch	Enrolled ██	08/23/2006-Enrolled. To Governor at 4 p.m.
SB 1309	Scott	Nursing education: grants, loan assumptions, and faculty recruiting and retention.	Support Position Letter	Enrolled ██	08/30/2006-Senate concurs in Assembly amendments. (Ayes 36. Noes 2.) To enrollment.
SB 1383	Ortiz	Student financial aid: Ortiz-Pacheco-Poochigian-Vasc oncellos Cal Grant Program.	Support Position Letter	Enrolled ██	08/29/2006-Urgency clause adopted. Senate concurs in Assembly amendments. (Ayes 28. Noes 11.) To enrollment.
SB 1473	Figueroa	Education: Private Postsecondary Education and Student Protection Act.	Watch	Dead ████	05/25/2006-Set, first hearing. Held in committee and under submission.
SB 1552	Scott	California Community Colleges Economic and Workforce Development Program.	Support Position Letter	Enrolled ██	08/29/2006-Senate concurs in Assembly amendments. (Ayes 37. Noes 1.) To enrollment.

<u>SB 1571</u>	Maldonado	Public postsecondary education: employee compensation.	Watch	Dead ■■■	04/20/2006-Set for hearing April 27.
<u>SB 1709</u>	Scott	Postsecondary education: College Opportunity Act of 2006.	Watch	Dead ■■■	05/25/2006-Set, first hearing. Held in committee and under submission.
<u>SB 1751</u>	Speier	Student financial aid: Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program.	Support	Dead ■■■	04/27/2006-Set, first hearing. Held in committee without recommendation.

Committee Membership

This part of the Legislative Update lists the members of the legislative policy and fiscal committees for higher education.

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Sam Aanestad, Vice-Chair
Richard Alarcon
Elaine Alquist
Roy Ashburn
Jim Battin
Bob Dutton
Martha Escutia
Dean Florez
Deborah V. Ortiz
Charles Poochigian
Gloria Romero
Tom Torlakson

Senate Budget and Fiscal Review Committee

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Dennis Hollingsworth, Vice-Chair
Dave Cox
Denise Ducheny
Bob Dutton
Christine Kehoe
Sheila Kuehl
Alan S. Lowenthal
Mike Machado
Bob Margett
Tom McClintock
Jack Scott
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Senate Budget and Fiscal Review Subcommittee No. 1 on Education

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Bob Margett
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Senate Education Committee

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Senate Education Subcommittee on Higher Education

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Wes Chesbro
Jeff Denham
Abel Maldonado
Jack Scott
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Assembly Appropriations Committee

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Hector De La Torre
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Ray Haynes
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Mervyn Dymally
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Loni Hancock
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